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UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK

GRZEGORZ TUTKA and EDWARD POLTORAK, on behalf of themselves and all others similarly

situated,

Docket No: 15-cv-00604

(DLI) (CLP)

Plaintiffs,

----X

-against-

OPTIMUM CONSTRUCTION, INC., and EFSTRATIOS BENARDIS, individually,

Defendants.

STIPULATION OF DISMISSAL WITH PREJUDICE

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned parties through their undersigned counsel, that based on the Defendants' financial straits, the above action is hereby dismissed with prejudice.

Dated: New York, New York March 19, 2018

ROBERT WISNIEWSKI P

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By:

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Attorney for Defendants

SO ORDERED,

Hon. Cheryl L. Pollak, U.S.M.J.